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REMARKS

Claims 1-61 remain pending in this application. The following remarks are submitted by Applicant to provide clarification on the Response submitted on March 2, 2005. Applicant wishes to thank the Examiner for clarifying the outstanding issues via telephone.

Claim Rejections – 35 U.S.C. §112

Claim 6 was rejected under 35 U.S.C. §112(2) for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Applicant traverses the rejection. Withdrawal of the rejection is respectfully requested. Applicant maintains the arguments put forth in the Response dated March 2, 2005.

In the Office Action dated April 22, 2005, it was submitted that Applicant addressed the rejection with respect to the *Malkin* reference, however, further clarification was required by the Examiner regarding the *Carneal* reference. Applicants submit that the argumentation provided was applicable to both references, and effectively overcomes the rejection. Withdrawal of the rejection is earnestly requested.

Claim Rejections – 35 U.S.C. §102

Claims 1-2, 4-10, 12-17, 19-25, 27-33, 35-40, 42-48, 50-56, and 58-61 were rejected under 35 U.S.C. § 102(e) as being anticipated by *Malkin et al.* (U.S. Patent No. 6,085,193). Applicant respectfully traverses the rejections. Favorable reconsideration is respectfully requested

Specifically, the Examiner posited that, while claims 1 and 9 (as well as claims 47 and 55) were explicitly addressed in the response, specific arguments were not added with respect to independent claims 16, 24, 32 and 39. While Applicant disagrees with this assessment, the arguments previously presented will be correlated to the objected claims in greater detail below. Applicant maintains all of the arguments set forth in the Response dated March 2, 2005 in this Response.

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Regarding claims 16, it is noted that, in claims 1 and 9, it was explicitly argued that *Malkin* did not disclose or suggest “generating a profile based on first content” and “transmitting the profile to a remote location” (claim 1), as well as generating a master profile based upon the received profile and retrieving content associated with the master profile (claim 9). Similarly, claim 16 recites, among other things, a second caching logic “configured to generate a second profile [master profile] based upon the first profile [content], wherein the second profile is used to retrieve second tier content, and wherein the second caching logic is further configured to transmit the second tier content to a remote cache.” While the language is admittedly different, the recited features in claim 16 correspond to the same specified features argued in claims 1 and 9 regarding *Malkin*, and the argumentation distinctly and specifically points out the differences between the claims and the teaching in the prior art. Accordingly, Applicant respectfully submits that the argumentation provided for those claims are equally applicable to claim 16.

Claim 24 recites a processor configured, among other things, to “output a profile of the first tier content to a second processor, wherein the profile is used to prepare a master profile.” Again, this feature corresponds to the argumentation provided in claim 1 regarding “generating a profile based on first content.”

Also, claim 32 recites, among other things, a network device having a processor “configured to generate a master profile based upon the received profile, wherein second tier content associated with the master profile is retrieved and transmitted over the communications interface to a remote cache.” The remarks regarding claim 16 also apply to claim 32.

Claim 39, recited in means-plus-function format, recites, among other things, “means for outputting a profile of the first tier content, wherein the profile is used to prepare a master profile.” One example that supports this feature can be found in FIGs. 2-4, and is generally discussed on pages 9-10 of the specification. In that embodiment, a software structure is disclosed where a master profile, is generated along with associated second tier content, based on a received profile of first tier content. This feature corresponds to the features argued above for claims 1 and 9.

Accordingly, Applicant respectfully submits that all of the rejections pertaining to *Malkin* were addressed in the previous Response. Favorable reconsideration is earnestly requested.

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Claims 1-4, 7-12, 15, 24-27, 30, 32-35, 38-42, 45-50, 53-58 and 61 were also rejected under 35 U.S.C. § 102(e) as being anticipated by *Carneal et al.* (U.S. Patent No. 6,282,542). Applicant respectfully traverses the rejections. Favorable reconsideration is respectfully requested.

Similarly, the Examiner submitted that only claim 1 was explicitly addressed in the Response, and that argumentation regarding claims 9, 16, 24, 32, 39 and 55 were not added. Applicant disagrees with this assessment. However, in the interests of furthering prosecution, Applicant will correlate argued features to each of the aforementioned claims below. Again, the applicant recognizes that the language appears slightly different in each of the claims, however, the same generally distinct features argued previously are recited in each of the claims. Applicant maintains all of the arguments set forth in the Response dated March 2, 2005 in this Response.

In the Response, it was argued that *Carneal* does not disclose or suggest generating a profile based on first tier content and transmitting the profile to a second cache engine (see page 20, last paragraph), as well as generating a master profile, retrieving second tier content associated with the master profile, and transmitting the second tier content to the first cache engine (see page 21, second paragraph).

Regarding claim 9, the claim recites, among other things, "generating a master profile based upon the received profile [first tier content]" and "transmitting content associated with the master profile [second tier content] to the remote cache[second cache engine]." These features correspond to the argumentation provided generally above, and more specifically in the response dated March 2, 2005.

Regarding claim 16, the claim recites, among other things, a second caching logic "configured to generate a second profile based upon the first profile [first tier content], wherein the second profile is used to retrieve second tier content, and wherein the second caching logic is further configured to transmit the second tier content to a remote cache." These features correspond to the argumentation provided generally above, and more specifically in the response dated March 2, 2005.

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Regarding claim 24, the claim recites, among other things, a processor configured to analyze a traffic stream for first tier content and to "output a profile of the first tier content to a second processor, wherein the profile is used to prepare a master profile; the second processor configured to retrieve second tier content associated with the master profile." These features correspond to the argumentation provided generally above, and more specifically in the response dated March 2, 2005.

Regarding claim 32, the claim recites, among other things, a processor coupled to a communications interface and configured to "generate a master profile based upon the received profile [first tier content], wherein second tier content associated with the master profile is retrieved and transmitted over the communications interface to a remote cache." These features correspond to the argumentation provided generally above, and more specifically in the response dated March 2, 2005.

Claim 39, recited in means-plus-function format, recites, among other things, "means for outputting a profile of the first tier content, wherein the profile is used to prepare a master profile" and "means for caching content that is associated with the master profile." The structure described in the specification was discussed above in relation to *Malkin* above, and the same argumentation applies as that provided in the response dated March 2, 2005.

Regarding claim 55, the claim recites, among other things, "receiving, at a remote cache, a profile [first tier content] that is prepared based upon content of a traffic stream; generating a master profile based upon the received profile; retrieving content associated with the master profile [second tier content]; and transmitting content associated with the master profile to the remote cache." These features correspond to the argumentation provided generally above, and more specifically in the response dated March 2, 2005.


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Applicant submits that an earnest request has been made to address the Examiner's objections. Applicants respectfully submit that the patent application is in condition for allowance and request a Notice of Allowance be issued. The Commissioner is authorized to charge and credit Deposit Account No. 02-1818 for any additional fees associated with the submission of this Response. Please reference docket number PD-201082.

Respectfully submitted,

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